

Application No. 09/843,198 (Conf. No. 8824) Docket No. RSW9-2001-0016-US1
Reply to final Office Action dated June 1, 2005

REMARKS

I. Summary of the Office Action

Claims 1-7, 9 and 11-33 are pending in the application. The Examiner has rejected claims 1-4, 6, 7, 9, 11, 12, 14-16, 18-21, 24, 27-31 and 33 under 35 U.S.C. §103(a), asserting that such claims are obvious over U.S. Patent Application Publication No. 2003/0069975 to Abjanic et al. ("Abjanic"). The Examiner has rejected claims 5, 13, 17, 22, 23, 25 and 26 under Section 103(a) as unpatentable over Abjanic in view of the cited Harold and LaFore articles. Further, the Examiner has rejected claim 32 under Section 103(a) as being unpatentable over Abjanic in view of the cited Jaworski article. The Examiner has raised Section 112 rejections to claims 1, 14, 21, 24, 27, 33.

II. Summary of this Reply

In this Reply, claims 1, 14, 21, 24, 27 and 33 are amended to address the Examiner's rejection under 35 U.S.C §112, support for such amendments being found, *inter alia*, at page 25, lines 5-16, page 28, lines 1-9, Figs. 4A and 4C, and in the Abstract. No new matter is added. Claim 16 is amended for clarity.

It is noted that the amendments and arguments in this Reply, though presented after final rejection, are presented at the earliest opportunity after the citation of certain art, and the raising of certain 112 rejections, for the first time in the preceding action. Thus, it is respectfully requested that the amendments herein be entered and considered pursuant to 37 CFR §1.116(c).

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III. Response to 103 Rejections

The Examiner has rejected claims 1-7, 9 and 11-33 under 35 U.S.C. §103(a), asserting obviousness over Abjanic and/or additional cited art. Claim 32 is canceled.

A section 103 rejection is proper only if all claim limitations are taught or suggested by the prior art. Moreover, even if all elements are found in the cited art, there still must be motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to make the proposed modification to, or combination of, the cited art. MPEP §2143.

Claim 1

Independent claim 1 is directed to a method involving "converting said input document encoded in XML to an output document encoded in a machine-oriented extensible markup language ("mXML")." The Examiner acknowledges on pages 6 and 7 of the Action that Abjanic does not disclose any use of mXML.

However, the Examiner asserts on page 7 of the Action that "it would have been obvious . . . to implement the teachings of Abjanic to provide business transaction information in the mXML format, because to do so would have enable clients and servers to communicate with each other where different data formats are involved (such as the analogous formats cXML and ebXML), as taught by Abjanic." Applicants respectfully disagree for at least the following reasons.

First, mXML is not analogous to cXML and ebXML. As defined in the specification, "mXML" is a particular notation that is unlike cXML, ebXML and other conventional tag-based XML variant languages of the type disclosed in Abjanic. The

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mXML notation is unlike mere XML variant languages that use human friendly syntax and formatting for ease of reading. See page 5, line 9 - page 6, line 12. More specifically, conventional XML variant languages use: (1) opening tags having a predefined format (e.g. <tagname>); closing tags having a predefined format (e.g. </tagname>); (3) human language words or word variants as "tagnames"; and (4) nonprintable characters to format the document for ease of reading by humans. The various conventional XML variant languages share most or all of these characteristics, but differ in that they allow use of different, customized tagnames, etc.

In contrast, mXML is a particular notation version of XML that allows that data and structure of an XML document to be conveyed more compactly, i.e. with fewer characters, without the opening tag/closing tag pairs, and without the need for nonprintable characters, such as spaces, tabs and line returns, that are common in XML documents to enhance the readability of such documents for humans. See Abstract; page 25, lines 5-16; compare Figs. 4A and 4C. Accordingly, mXML is not analogous to cXML, ebXML or other conventional tag-based XML variant languages, and it would not have been obvious to modify the teachings of Abjanic to use of mXML, or to provide transformation between XML and mXML. Accordingly, Abjanic fails to teach or suggest all claim limitations.

Second, claim 1 recites a method for processing an input document that involves "converting said input document encoded in XML to an output document encoded in a machine-oriented extensible markup language ("mXML"), said output document encoded in mXML comprising fewer characters than said input document encoded in XML." There is absolutely no teaching or suggestion in Abjanic of converting an input

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document to an output document comprising fewer characters than the input document.

For this additional reason, Abjanic fails to teach or suggest all claim limitations.

Third, the method of claim 1 includes "determining whether said target is capable of processing documents encoded in mXML" and "if said target is determined to be capable of processing documents encoded in mXML, transmitting the processed output document encoded in mXML to said target." Further, the method includes "if said target is determined to be not capable of processing documents encoded in mXML, converting the processed output document encoded in mXML to an output document encoded in XML, and transmitting said output document encoded in XML to said target." Accordingly, the claimed invention has a principle of operation of increasing processing efficiency that involves transmitting a document in efficiently-processable mXML if the target is capable of processing mXML, and transmitting in XML if the target is incapable of processing mXML.

In contrast to the claimed invention, Abjanic has an entirely different principle of operation, namely, enabling communication compatibility. For example, as noted in Abjanic, "a client sending data using CXML will not be able to properly communicate with the processing node or server that expects to receive data only provided according to CBL." Paragraph 69. As further noted in Abjanic, such a translation or transformation function is provided "to allow clients and servers to communicate with each other where different data formats are involved." Paragraph 72. As further noted in Abjanic, such transformation will occur "as required" and when "the data within the packet(s) needs to be transformed." Paragraph 74.

Abjanic discloses transformation for the sole purpose of enabling compatibility,

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i.e., for the purpose of enabling communication where communication would otherwise be impossible. Accordingly, in the context of Abjanic, if both a first node and a second node are capable of processing documents encoded in XML, Abjanic will not convert the XML document into any other format, because no transformation is "required" or "needed" to enable communication between the first and second nodes. See Paragraphs 69, 72 and 74. Thus, even if the second node is capable of processing mXML, Abjanic provides that the input document encoded in XML would be passed to the second node in XML, because both nodes are compatible with XML. In contrast, the present invention provides that input document will be converted to mXML and passed in mXML because the second node is capable of processing mXML. Thus, there is no motivation to convert to mXML for compatibility, and thus there is no motivation to modify Abjanic to arrive at the present invention.

Fourth, Abjanic provides no teaching or suggestion whatsoever of any conversion of documents for the purpose of realizing processing efficiency. Modifying Abjanic to cause conversion to another format (mXML) if compatibility is already ensured (XML) would change the principle of operation of Abjanic. There cannot be any motivation to modify Abjanic to arrive at the claimed invention because doing so would change the principle of operation of Abjanic.

Fifth, Abjanic teaches away from conversion to another language when compatibility is already ensured. This is stated clearly in Abjanic, which states that when a:

message having data . . . that is already in a format that is compatible with the receiving node . . . no transformation is necessary. Paragraph 75.

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Accordingly, there cannot be motivation to modify Abjanic to convert to an efficient format if the nodes can communicate in a less efficient but compatible format.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 1 are requested respectfully.

Claims 2-7, 9 and 11-13

Claims 2-7, 9 and 11-13 depend from claim 1 and are likewise patentable. Additionally, claim 4 recites "referencing a datastore . . . storing data identifying a plurality of targets and indicating whether each of said plurality of targets is capable of processing documents encoded in mXML." Such a datastore is neither taught nor suggested by Abjanic. In contrast, Abjanic discloses sending of a request and response to determine whether any transformation is required for compatibility purposes, and that determination is apparently made by examining the response. Paragraph 74.

For at least these reasons, reconsideration and withdrawal of the rejection of claims 2-7, 9 and 11-13 are requested respectfully.

Claim 33

Claim 33 depends from claim 1 and is likewise patentable.

In addition, claim 33 recites that the "input document encoded in XML comprises a plurality of non-printing characters, and wherein said output document encoded in mXML does not comprise said plurality of non-printing characters." This is neither taught nor suggested by Abjanic. In contrast, Abjanic discloses use of conventional

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XML tag based language variants, which include non-printing characters for ease of readability, such as spaces, tabs line returns, etc.

For at least this additional reason, reconsideration and withdrawal of the rejection of claim 33 are requested respectfully.

Claims 14-20

Independent claim 14 is directed to a method for processing an input document that includes "converting said input document encoded in mXML to an output document encoded in a extensible markup language ("XML") if said target is determined to be not capable of processing documents encoded in mXML, said output document encoded in XML comprising a non-printing character not included in said input document encoded in mXML" Accordingly, claim 14 is patentable for reasons similar to those set forth above for claims 1 and 33.

Claims 15-20 depend from claim 14 and are likewise patentable. In addition, claim 16 include recitations similar to those of claim 4 and is likewise patentable for the reasons set forth above.

For at least these reasons, reconsideration and withdrawal of the rejections of claims 14-20 are requested respectfully.

Claims 21-31

Independent claims 21 and 27 include recitations similar to those of claim 1 and are likewise patentable.

Claims 22-26 and 28-31 depend from claims 21 and 27, respectively, are

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likewise patentable. In addition, claim 31 includes recitations similar to those of claim 4 and is likewise patentable for the reasons set forth above.


For at least these reasons, reconsideration and withdrawal of the rejections of claim 21-31 are requested respectfully.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant believes claims 1-7, 9 and 11-33 to be patentable and the application to be in condition for allowance, and requests respectfully issuance of a Notice of Allowance. If any issues remain, the undersigned requests a telephone interview prior to the issuance of an action.

Respectfully submitted,

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Gregory S. Bernabeo
Reg. No. 44,032

Synnestvedt & Lechner LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
Telephone: (215) 923-4466
Facsimile: (215) 923-2189

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